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Andy Slavitt, Acting Administrator
Centers for Medicare and Medicaid Services
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Mr. Slavitt:

On September 30, 2015 Arizona Health Care Cost Containment System (AHCCCS) requested approval to renew their 1115 demonstration waiver and to seek new authority to implement substantial changes to the program. I respectfully request that you reject their submission as incomplete, based on their failure to fully comply with the approval process for section 1115 demonstrations in accordance with section 10201(i) of the Patient Protection and Affordable Care Act, P.L. 111-148.

I applaud AHCCCS's work to continue to serve Arizonans through an 1115 demonstration program; however meaningful public input, as required by law, was not adequately solicited with their current waiver request. States are required to solicit meaningful public input in the development of a section 1115 demonstration application or extension request. Part of this solicitation requires states to provide "a link to the State's Website where the application and the full public notice can be viewed". AHCCCS failed to publish the application in its entirety and instead posted confusing videos and summaries that gave little detail on their proposals.

While, AHCCCS did accept public comments and held at least 2 public forums, these efforts were woefully insufficient to deal with the scope of changes being proposed. As the full details of the demonstration waiver were never available, members of the community could not properly prepare for the forums or provide meaningful input through the public comment process.

The far reaching changes sought by the state will have lasting impacts on the state of Arizona and the constituents I represent. Unfortunately, Arizonans know firsthand the consequences of misguided 1115 waiver requests that have harmed our Medicaid beneficiaries, their families, the Arizona health care system and the state economy. Arizonans deserve to have their voices properly heard at the state level prior to moving forward with this process.

I urge you to immediately reject AHCCCS's application for failure to comply with federal law and to instead work with them to ensure a meaningful process for a public input – prior to consideration of their waiver demonstration request.

Sincerely,


Raúl M. Grijalva
Member of Congress